

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

IDA BELLE ROLAIN,

Plaintiff,

vs.

WAL-MART STORES, INC., et al.,

Defendants.

Case No. 2:11-cv-01900-KJD-PAL

ORDER

(Mtn for Exemption - Dkt. #30)

This matter is before the court on Plaintiff Ida Belle Rolain's Motion for an Exemption from PACER CM/ECF Fees and Billing (Dkt. #30) filed April 9, 2012. The court has considered the Motion. On January 18, 2012, the court granted Plaintiff's request to use the court's CM/ECF system to file and view documents electronically. *See* Order (Dkt. #21). The instant Motion requests the court waive all fees and billing associated with the court's CM/ECF system for Plaintiff until this case is resolved.

The fees associated with PACER are established by the Judicial Conference and are intended to "reimburse expenses incurred by the judiciary in providing electronic public access to court records." *See* Electronic Public Access Fee Schedule, available at www.pacer.gov/documents/epa_feesched.pdf (last visited April 10, 2012). PACER allows all users to view a document filed in a case where a user is registered to receive Notices of Electronic Filing for free the first time. Thereafter, users are charged \$0.10 per page, with a cap of \$3.00 per document, for each view of the document. *See generally* www.pacer.gov (last visited April 10, 2012). Additionally, users who incur \$15 or less in fees per quarter have their fees waived. *Id.* The Judicial Conference's Fee Schedule provides that "courts may, upon a showing of cause, exempt indigents [and others] from payment of these fees." *See* Electronic Public Access Fee Schedule at ¶ 1. The Policy Notes specify, however, "[e]xemptions should be


1 granted as the exception, not the rule.” *Id.* at Policy Notes. Additionally, electronic data available on
2 PACER may be viewed free at public terminals in the courthouse at no cost. *Id.*

3 Plaintiff has not established good cause for an exemption from PACER’s fee schedule.
4 Plaintiff may avoid paying the \$0.10 per page fee by saving any document she views for free when she
5 receives the court’s Notice of Electronic Filing.

6 Accordingly,

7 **IT IS ORDERED** that Plaintiff’s Motion for an Exemption from PACER CM/ECF Fees and
8 Billing (Dkt. #30) is DENIED.

9 Dated this 10th day of April, 2012.

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13 PEGGY A. LEEN
14 UNITED STATES MAGISTRATE JUDGE
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